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E.O. 12958: DECL: 11/06/2016

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SUBJECT: CUBAN PROSECUTOR SEEKS 15 YEARS FOR PRISON  
INFRACTIONS

Classified By: COM Michael Parmly for Reason 1.4(d).

¶1. (C) The Cuban Government has informed the family of political prisoner Orlando Zapata Tamayo that he has been indicted for jailhouse disorder and disrespect - charges for which the Pinar del Rio prosecutor is seeking 15 years. Zapata's mother shared a copy of the indictment with us on November 2 and offered her side of the story, based on input from her son and discussions with relatives of other inmates at Taco Taco maximum-security prison. On June 14, she said, guards visited Zapata, of the Alternative Republican Movement, at his solitary-confinement cell and hauled him away for a forced shave and haircut. While cutting his hair, the guards were allegedly abusive and unnecessarily rough. When Zapata objected, the mother said, they punched him in the head several times and kicked him in the stomach, prompting Zapata to repeatedly yell, "Down With Fidel!" Five other inmates heard the shouts and, realizing that Zapata was being mistreated, yelled out in solidarity. (All five were transferred to other prisons within a matter of hours, according to the mother.) Zapata, a 39-year-old Santiago native, was originally imprisoned on March 20, 2003 and sentenced to three years for public disorder.

COMMENT

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¶2. (C) The prosecutor's demand for 15 additional years, for relatively minor infractions, is severe even by the draconian standards of the Cuban penal system. Zapata is unapologetically recalcitrant, refusing to submit to re-education and insisting on using his own blood to sign official documents. The regime is sending a message - that no resistance will be tolerated - not only to Zapata but to those throughout the prison system who might have heard of the incident. Zapata's rough shave/haircut was not an isolated incident. In February, 75ers Eduardo Diaz Fleites and Fidel Suarez Cruz accused guards at Kilo 5 prison in Pinar del Rio of the same treatment.

PARMLY